IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

Bail Appl..No. 23 of 2007()

CR.51/06 OF KALPETTA EXCISE RANGE.

PETITIONER/ACCUSED

THANKAMANI, AGED 32,
W/O.LATE VELAYUDHAN, MALAYACHAM KOLLI,
PUTTAD, NATHAMKUNNI P.O., MEPPADI,
VYTHIRI TALUK.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: STATE & COMPLAINANT

THE STATE OF KERALA, REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - -

BAIL APPLICATION NO. 23 OF 2007

- - - - - - - - - ---------- - - - - -

DATED THIS THE 8th DAY OF JANUARY, 2007

O R D E R

In this petition filed under section 438 Cr.P.C., the petitioner, a widowed lady, seeks anticipatory bail.

2. The case of the prosecution is that 50 litres of wash was found in the kitchen of the unnumbered house in which the petitioner resides. The date of detection is stated to be 24.12.2006 at 12.30 PM.

3. Learned Public Prosecutor opposed the application.

4. Learned counsel for the petitioner would submit that the petitioner who lost her husband four years ago was being trapped by her mother-in-law and other relatives with a view to get back the property.

5. It is too early to conclude the said version of the petitioner is true. At any rate, anticipatory bail cannot granted in a case involving such grave offences. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed after examining the above contention of the petitioner.

With this direction, this petition is disposed of.

V.RAMKUMAR, JUDGE

dsn